

of the Criminal Court of Baltimore City, it appears that the property taken is not the same as that described in the warrant or that there is no probable cause for believing the existence of the grounds on which the warrant was issued, said judge must cause it to be restored to the person from whom it was taken; but if it appears that the property taken is the same as that described in the warrant and that there is probable cause for believing the existence of the grounds on which the warrant was issued, then said judge shall order the same retained in the custody of the person seizing it or to be otherwise disposed of according to law.

Search warrant (old form) to secure evidence for violation of lottery laws. Secs. 405-411 held void. *State v. Richman*, (Judge Niles, Criminal Court of Baltimore), Daily Record, Sept. 30, 1939.

The search warrant authorized by this section must include the grounds for the search. (Judge O'Dunne, Criminal Court of Baltimore) *State v. Kirsner, Carr & Strand*, Daily Record, Oct. 6, 1939.

Application for search warrant under this section is valid when made by sergeant upon information furnished by one of his subordinate officers. Search warrant issued upon probable cause that Sec. 291 is being violated sufficiently described property to be seized as "betting slips, racing forms, etc." (Judge Niles' Criminal Court of Baltimore) *State v. Allen*, Daily Record, Oct. 20, 1939.

Officer who has validly arrested clerk, who was in apparent control of store, upon charge of possessing lottery tickets may search store for further evidence, but may not search living quarters of owner behind and above the store. *State v. Baylis et al.* (Judge Niles, Criminal Court of Baltimore City), Daily Record, Nov. 30, 1939.

1939, ch. 749, sec. 259B.

307. Sections 527 to (and including) 531 of this Article (perjury and subornation of perjury) shall apply to and embrace all persons making oath or affirmation or procuring the same under the provisions of Sections 306 and 307, and such persons shall be subject to all the pains and penalties of said sections.

Graft—Prevention of.

An. Code, 1924, sec. 260. 1912, sec. 229A. 1918, ch. 425.

308. No person or corporation engaged in the business of building greenhouse structures, selling fertilizers, insecticides, coal, soil, flower pots, trees, shrubs, bulbs, plants, garden and farm implements, seeds or any other commodities, necessary for the formation and maintenance of public parks and grounds, cemeteries, baseball and athletic club grounds, golf club grounds, country club grounds, hotel grounds, and country estates, shall pay or cause to be paid, either directly or indirectly to any superintendent, manager, gardener, foreman, or other employee, money or other consideration, whatsoever as a present, reward, inducement, bonus or commission on any bill of purchase, of the foregoing commodities which are to be used in the formation or maintenance of parks, grounds, and estates designated herein, and no superintendent, manager, gardener, foreman or other employee shall ask for, demand, exact, require, accept or receive, either directly or indirectly, from any person or corporation engaged in the business of building greenhouse structures, selling fertilizers, insecticides, coal, soil, flower pots, trees, shrubs, bulbs, plants, garden and farm implements, seeds or any other commodities necessary for the formation and maintenance of public parks or grounds, cemeteries, baseball or athletic grounds, golf club grounds, country club grounds, and country estates, any money or other consideration whatsoever on any bill for the purchase of any of the before said mentioned commodities.¹

¹ Sec. 3 of act of 1918, ch. 425, repeals all acts and parts of acts inconsistent with said act to the extent of such inconsistency.